

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF ILLINOIS
EASTERN DIVISION

ARMAND PANLASIGUI ABAYA,)	
)	
Plaintiff,)	
)	No. 08 C 1337
v.)	
)	
MICHAEL CHERTOFF, Secretary,)	Judge Kennelly
Department of Homeland Security, <i>et al.</i> ,)	
)	
Defendants.)	

**MOTION TO DISMISS FOR LACK
OF SUBJECT MATTER JURISDICTION**

Defendants, by Patrick J. Fitzgerald, United States Attorney for the Northern District of Illinois, move pursuant to Federal Rule of Civil Procedure 12(b)(1) to dismiss the complaint for lack of subject matter jurisdiction. The basis for the motion is set forth in the accompanying memorandum of law.

Respectfully submitted,

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